

REMARKS

Overview

Applicant has amended claim 1 for grammatical correctness between the subject and verb.

The claims have been rejected under 35 U.S.C. § 103 as being obvious over Fumagalli. Applicant respectfully traverses this rejection, and requests reconsideration of the claims.

Independent claims 1, 8 and 14 each require a plurality or group of control consoles. The Examiner admits that Fumagalli does not disclose a plurality of control consoles. Rather, as acknowledged by the Examiner, Fumagalli discloses a single control with interchangeable keys to produce different models of the appliance. No other prior art references are cited to overcome this deficiency of Fumagalli with regard to the plurality of consoles required by the claims.

The Examiner jumps to the unsupported conclusion that it would be obvious to one of ordinary skill in the art at the time of the invention that Fumagalli is an improvement over Applicant's invention. However, this is an improper test for obviousness of the claims of Applicant's invention. Whether Fumagalli is an obvious improvement over Applicant's invention is irrelevant to patentability of Applicant's claims. The Examiner further acknowledges that in Fumagalli, the end user does not change or replace the console, but merely changes a key in the console. While not specifically described in Fumagalli, presumably, the console must be at least partially disassembled in order to exchange different keys. Such disassembly of the console is not required in Applicant's invention, since separate consoles are utilized.

Therefore, independent claims 1, 8 and 14 distinguish over the cited reference so as to be allowable, along with the claims depending therefrom.

Claim 1 further requires that the base unit of the first model has a first electrical component which is not electrically connected to the first control console. This limitation of claim 1 is not taught or suggested by Fumagalli. Fumagalli does not describe the connections between the console and the base unit. Since this limitation of claim 1 is not satisfied by Fumagalli, claim 1 further distinguishes over Fumagalli so as to be allowable.

Claim 12 depends from claim 8 and requires that the appliance is upgraded by removing the first selected console and mounting a second selected console having additional control features. Since Fumagalli only has a single control panel with interchangeable electrical circuitry or keys, the limitations of claim 12 are not met by Fumagalli, such that claim 12 is in proper form for allowance.

Independent claim 14 further requires that the control console is connected to selected electrical components in the base unit. Fumagalli does not disclose this limitation, since Fumagalli has no description about connections between the base and the console. Presumably, in Fumagalli the connections between the base unit and the console are always the same, since there is only one console, such that no selection of electrical connections is required. Since there is no disclosure in Fumagalli regarding any selection of electrical connections between the console and the base unit, claim 14 further distinguishes over Fumagalli so as to be allowable.

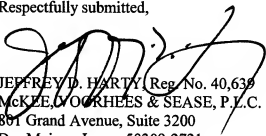
Conclusion

In view of the foregoing, Applicant respectfully requests that a Notice of Allowance be issued.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



JEFFREY D. HARTY (Reg. No. 40,639)
McKEE, WOORHEES & SEASE, P.L.C.
861 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No: (515) 288-3667
Fax No: (515) 288-1338
CUSTOMER NO: 27139

Attorneys of Record

-pw -